

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25369 of 2016

Arising Out of PS.Case No. -55 Year- 2007 Thana -KUTUMBA District- AURANGABAD

Keshav Prasad Singh @ Keshav Pd. Singh S/o Late Munna Singh resident
of Village- Simri Khurd, P.S.- Kutumba, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, advocate

For the Opposite Party/s : Mr. S.M. Rahman, advocate

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER

2 04-07-2016 Heard learned counsel for the petitioner and the State.

The petitioner , who happens to be father of the deceased,
apprehends his arrest in a case under sections 302, 120B, 498A
of the Indian Penal Code.

The informant, who is wife of the deceased, alleges that
the petitioner and his family members tortured and ultimately
killed her husband when he opposed them from demanding
dowry from her.

The petitioner submits that there could be no reason as to
why he would kill his son. He next submits that the police found
the case false against the petitioner and submitted final form in
his favour. However, the learned Magistrate differed with the
police report and took cognizance of the offence under section
304 and 120B of the Indian Penal Code. Further, the instant

case has been lodged three months after the occurrence and charge sheet accused Upendra Singh and others have already been allowed anticipatory bail vide order dated 6.10.2010, passed in Cr.Misc.No. 30466 of 2010.

In the facts and circumstances of the case, in the event of arrest/surrender, let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.5,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in Kutumba Police station Case No. 55 of 2007.

Petitioner would not be absent physically for two consecutive dates at a stretch till two witnesses are examined in the trial.

Shashi.

(Samarendra Pratap Singh, J)

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